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PART II/PARTIE II

REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

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REVISED REGULATIONS OF SASKATCHEWAN

SASKATCHEWAN REGULATIONS 112/2005

The Occupational Health and Safety Act, 1993

Section 44

Order in Council 800/2005, dated October 18, 2005

(Filed October 19, 2005)

Title

1 These regulations may be cited as *The Occupational Health and Safety Amendment Regulations, 2005*.

R.R.S. c.O-1.1 Reg 1 amended

2 *The Occupational Health and Safety Regulations, 1996* are amended in the manner set forth in these regulations.

Section 2 amended

3 The following clause is added after clause 2(1)(qq):

"(qq.1) **'percutaneous'** means a route of entry that is through the skin or mucous membrane, and includes subcutaneous, intramuscular and intravascular routes of entry**".**

New section 85

4 Section 85 is repealed and the following substituted:

"Exposure control plan

85(1) In this section:

(a) **'engineering controls'** means physical controls or barriers that isolate or remove an infectious disease hazard and includes:

(i) medical devices approved by Health Canada that have engineered sharps injury protections;

(ii) sharps disposal containers;

(iii) needleless systems and needles with engineered sharps injury protections as defined in section 474.1; and

(iv) other devices that isolate or remove sharps hazards;

(b) **'expose'** means harmful contact with an infectious material or organism from inhalation, ingestion, skin or mucous membrane contact or percutaneous injury;

(c) **'exposure control plan'** means an exposure control plan required pursuant to subsection (2);

(d) **'infectious material or organism'** means an infectious material or organism that has been identified in an approved manner as an infectious disease hazard that poses a significantly increased exposure risk to a worker or self-employed person.

(2) If workers are required to handle, use or produce an infectious material or organism or are likely to be exposed at a place of employment, an employer, in consultation with the committee, shall develop and implement an exposure control plan to eliminate or minimize worker exposure.

(3) An exposure control plan must:

(a) be in writing;

(b) identify any workers at the place of employment who may be exposed;

(c) identify categories of tasks and procedures that may put workers at risk of exposure;

(d) describe the ways in which an infectious material or organism can enter the body of a worker and the risks associated with that entry;

(e) describe the signs and symptoms of any disease that may arise for a worker exposed at the place of employment;

(f) describe infection control measures to be used, such as the following:

(i) vaccination;

(ii) engineering controls;

(iii) personal protective equipment;

(iv) safe work practices and procedures; and

(v) standard practices that incorporate universal precautions;

(g) identify the limitations of the infection control measures described pursuant to clause (f);

(h) set out procedures to be followed in each of the following circumstances:

(i) if there has been a spill or leak of an infectious material or organism;

(ii) if a worker has been exposed;

(iii) if a worker believes that he or she has been exposed;

(i) set out the methods of cleaning, disinfecting or disposing of clothing, personal protective equipment or other equipment contaminated with an infectious material or organism that must be followed and indicate who is responsible for carrying out those activities;

(j) describe the training to be provided to workers who may be exposed and the means by which this training will be provided;

(k) require the investigation and documentation, in a manner that protects the confidentiality of the exposed worker, of any work-related exposure incident, including the route of exposure and the circumstances in which the exposure occurred; and

(l) require the investigation of any occurrence of an occupationally transmitted infection or infectious disease to identify the route of exposure and implement measures to prevent further infection.

(4) If subsection 85(2) applies to an employer on the day on which this section comes into force or at any time before January 1, 2006, that employer must, no later than January 1, 2006, describe in his or her exposure control plan the steps that will be taken by July 1, 2006 to ensure compliance with this section and, if applicable, subsection 474.1(3).

(5) No employer shall allow a worker to undertake any tasks or procedures mentioned in clause (3)(c) unless the worker has been trained with respect to the exposure control plan and the use of control measures appropriate for the task or procedure undertaken.

(6) An employer, in consultation with the committee, shall review the adequacy of the exposure control plan, and amend the plan if necessary, at least every two years or as necessary to reflect advances in infection control measures, including engineering controls.

(7) An employer shall make a copy of the exposure control plan and any amendments to that plan readily available to every worker who may be exposed.

(8) An employer shall:

(a) inform workers who are required to handle, use or produce an infectious material or organism or who may be exposed at a place of employment:

(i) of any vaccine recommended for workers with respect to that risk in the *Canadian Immunization Guide*, published by Health Canada, and recommended by:

(A) a medical health officer appointed pursuant to *The Public Health Act* or a designated public health officer within the meaning of *The Public Health Act, 1994* whose powers and responsibilities include those set out in Part IV of *The Public Health Act, 1994*; or

(B) a physician with expertise in immunization or the control of communicable diseases; and

(ii) of the risks associated with taking a vaccine mentioned in subclause (i);

(b) with the worker's consent, arrange for the worker to receive any vaccination recommended pursuant to subclause (a)(i) during the worker's normal working hours and reimburse the worker for any costs associated with receiving the vaccination; and

(c) if a worker cannot receive a vaccination mentioned in subclause (a)(i) during the worker's normal working hours, credit the worker's attendance for the vaccination as time at work and ensure that the worker does not lose any pay or other benefits.

(9) If a worker has been exposed to blood or potentially infectious bodily fluids at a place of employment, an employer shall, with the consent of the worker, during the worker's normal working hours, arrange for immediate medical evaluation and intervention by a qualified person in an approved manner and for confidential post-exposure counselling.

(10) If a worker cannot receive medical evaluation, medical intervention or post-exposure counselling during the worker's normal working hours, an employer shall credit the worker's attendance for evaluation, intervention or counselling as time at work and shall ensure that the worker does not lose any pay or other benefits.

(11) Nothing in these regulations prohibits an employer or contractor from purchasing supplies in bulk together with another employer or contractor but each employer or contractor is responsible for ensuring his or her compliance with these regulations**".**

Section 468 amended

5 Clause 468(b) is amended:

(a) by striking out "or**" after subclause (xv); and**

(b) by adding the following after subclause (xv):

"(xv.1) a blood collection agency; or**".**

Section 474 amended

6 Subsection 474(2) is repealed and the following substituted:

"(2) The containers required by subsection (1) must:

(a) have a fill line;

(b) be clearly identified as containing hazardous waste; and

(c) be sturdy enough to resist puncture under normal conditions of use and handling until the containers are disposed of**".**

New sections 474.1 and 474.2

7 The following sections are added after section 474:

"Selecting needle-safe devices

474.1(1) In this section and in section 474.2:

(a) **'contaminated'** means contaminated with:

(i) human blood;

(ii) fluids containing visible amounts of human blood;

(iii) any of the following potentially infectious human bodily fluids:

(A) semen;

(B) vaginal secretions;

(C) cerebrospinal fluid;

(D) synovial fluid;

(E) pleural fluid;

(F) pericardial fluid;

(G) peritoneal fluid;

(H) amniotic fluid;

(I) saliva;

(J) breast milk;

(iv) fluids from any unfixed tissue or organ, other than intact skin, from a human, living or dead;

(v) cell, tissue or organ cultures, or other solutions, that may contain a human blood-borne infectious organism; or

(vi) fluids from tissues of experimental animals infected with a blood-borne infectious organism from a human source;

(b) **'needles with engineered sharps injury protections'** means hollow bore needles or devices with hollow bore needles that:

(i) are commercially available;

(ii) are approved as medical devices by Health Canada;

(iii) have a built-in safety feature or mechanism that eliminates or minimizes the risk of a percutaneous injury; and

(iv) are used for purposes that include:

(A) withdrawing bodily fluids;

(B) accessing a vein or artery; and

(C) administering medications or other fluids;

(c) **'needleless system'** means a commercially available device approved as a medical device by Health Canada that replaces a hollow bore needle for use in:

(i) the collection of bodily fluids;

(ii) the withdrawal of bodily fluids after initial venous or arterial access is established;

(iii) the administration of medication or fluids; or

(iv) any other procedure in which it is reasonably anticipated that a worker could incur a percutaneous injury with a contaminated hollow bore needle;

(d) **'public health emergency'** means an occurrence or imminent threat of a significant risk to public health caused by:

(i) an epidemic or pandemic disease; or

(ii) a novel, highly fatal infectious agent or associated biological toxin.

(2) This section and section 474.2 apply:

(a) to all health care facilities mentioned in clause 468(b) except those mentioned in subclauses 468(b)(xiii) and (xiv);

(b) to a correctional facility as defined in *The Correctional Services Act*; and

(c) to a youth custody facility as defined in the *Youth Criminal Justice Act* (Canada).

(3) Subject to subsection (4), on and after July 1, 2006, for tasks and procedures in which it is reasonably anticipated that a worker or self-employed person may incur a percutaneous injury from a contaminated hollow bore needle, the employer or contractor must:

(a) identify, evaluate and select needles with engineered sharps injury protections or needleless systems, in consultation with representatives of those workers or self-employed persons who will use the selected device; and

(b) ensure that the needles with engineered sharps injury protections and needleless systems selected pursuant to clause (a) are used.

(4) Subsection (3) does not apply:

(a) if the employer or contractor can demonstrate that needles with engineered sharps injury protections or needleless systems pose an additional risk to the patient, worker or self-employed person;

(b) to any biological or antibiotic product in an injection-ready needle device that is present in Saskatchewan on the day on which this section comes into force;

(c) to any needles or needle devices that are obtained during a public health emergency for use in that emergency;

(d) to needles or needle devices for use in a public health emergency that are stockpiled for use in a public health emergency and are present in Saskatchewan on the day on which this section comes into force; or

(e) if a needle with engineered sharps injury protections or a needleless system requires Health Canada's approval for use in a national program, including blood collection and vaccination programs, until the earlier of:

(i) the day on which Health Canada approves a needle with engineered sharps injury protections or a needleless system for use in a national program; and

(ii) July 1, 2007.

"Injury log

474.2(1) An employer or contractor must maintain an injury log for all exposures involving a percutaneous injury with a sharp that may be contaminated.

(2) Entries in the injury log maintained pursuant to subsection (1) must:

(a) protect the confidentiality of the exposed worker or self-employed person; and

(b) contain at least the following information:

(i) the type and brand of the device involved in the exposure incident;

(ii) the department or work area in which the exposure occurred;

(iii) an explanation of how the exposure occurred**".**

Appendix amended

8 Table 14 of the Appendix is repealed.

Coming into force

9 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 113/2005

The Ethanol Fuel Act

Section 7

Order in Council 812/2005, dated October 25, 2005

(Filed October 26, 2005)

Title

1 These regulations may be cited as *The Ethanol Fuel (General) Amendment Regulations, 2005*.

R.R.S. c.E-11.1 Reg 1 amended

2 *The Ethanol Fuel (General) Regulations* are amended in the manner set forth in these regulations.

Section 3 amended

3 Section 3 is amended by striking out "May 1, 2005**" and substituting "**November 1, 2005**".**

Section 5 amended

4(1) Subclause 5(1)(a)(i) and (ii) are repealed and the following substituted:

"(i) in the period commencing on November 1, 2005 and ending on April 30, 2006, 1.0% ethanol;

"(ii) in the period commencing on May 1, 2006 and ending on September 30, 2006, 7.5% ethanol; and

"(iii) in every three-month period commencing October 1, 2006, 7.5% ethanol**".**

Coming into force

5 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 114/2005

The Milk Control Act, 1992

Section 10

Board Order dated October 25, 2005

(Filed October 26, 2005)

Title

1 These regulations may be cited as *The Milk Control Amendment Regulations, 2005 (No. 10)*.

R.R.S. c.M-15 Reg 1, Appendix amended

2 Clauses 3(1)(m) and (n) of Part II of the Appendix to *The Milk Control Regulations* are repealed and the following substituted:

"(m) in the case of class 5a milk:

(i) $4.8994 per kilogram of butterfat;

(ii) $5.6450 per kilogram of protein;

(iii) $0.3779 per kilogram of other solids;

"(n) in the case of class 5b milk:

(i) $4.8994 per kilogram of butterfat;

(ii) $2.1345 per kilogram of protein;

(iii) $2.1345 per kilogram of other solids".

Coming into force

3 These regulations come into force on November 1, 2005.

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